

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

**KENTUCKY DEPARMTENT OF EDUCATION**



**Kentucky Department of Education (KDE)  
2011 Title VI Implementation Plan, Update, and/or Compliance  
Report**

Annual Updates: Subsections (6), (7), (9), (10), (12), and (13):

**Subsection (6):**

**VII. Identify Programs or Activities Subject To Title VI**

**The Kentucky Department of Education** receives Federal funds from the No Child Left behind Act (NCLB) of 2001-Elementary and Secondary Education Act of 1965, The Stewart B. McKinney Homeless Assistance Act, the Carl D. Perkins Applied Technology and Vocation Education Act of 1990, the Individuals with Disabilities Education Act (IDEA), and the American Reinvestment and Recovery Act (ARRA). The programs have various subcategories, which specify funds for particular purposes. The department subgrants the funds to local educational agencies for the operation of the specific programs.

All grantees and sub-grantees will be required to comply with Title VI guidelines. If or when additional funding becomes available, Title VI compliance will be required.

Where authorized by federal law, all private schools wishing to participate in these programs are allowed on an equitable basis.

**Title I, Part A**

This is the largest federal program providing funds to local districts through the state department of education. The purpose is to ensure all children have a fair, equal and significant opportunity to obtain a high quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and assessments. The funds may be used for a variety of purposes such as salaries for teachers to improve instruction, instructional materials, parent involvement activities and professional development. This program awards funds to all public school districts and the beneficiaries include the at-risk students in the districts.

**Title I, Part A, School Improvement Section G**

School Improvement Grants under Section 1003(g) of the Elementary and Secondary Education Act of 1965 are grants to state educational agencies (SEAs). SEAs, in turn make sub grants to local educational agencies (LEAs) that demonstrate the greatest need and the strongest commitment to use the funds to provide adequate, needs-based resources in order to raise the achievement of students in their persistently lowest-performing schools. The program covers 106 schools in 48 districts and the beneficiaries include all students in the served schools.

**Title I, Part B, Even Start**

The Even Start Family Literacy Program is designed to break the cycle of poverty and illiteracy by improving the educational opportunities for low-income families. Even Start promotes high quality, intensive instructional services that integrate adult literacy, early childhood education, parent education, and parent/child literacy activities. Programs are designed to help parents become full partners in their children's education and prepare children for successful experiences in school and life. Programs are partnerships consisting of a local educational agency and one or more of the following: non-profit community-based organization, a public agency other than a local educational agency, an institution of higher education, or a public or private non-profit organization other than a local educational agency of demonstrated quality. Intensive family literacy services are provided to families with children birth to eight years of age whose parents are eligible to participate in the Adult Basic Education program or school age parents receiving education services from a local educational agency.

**Title I, Part C, Migrant**

The purpose of the program is to support high quality and comprehensive educational programs for migratory children to help reduce the educational disruptions and other problems that result from repeated moves. It serves children of families meeting the statutory definition of migrant and provides supplemental services such as tutoring and health care, which remove barriers to success in school.

This program covers four regions (71 public school districts) and the beneficiaries include 3,998 migrant students.

**Title I, Part D, Neglected/Delinquent**

The purpose of the program is to improve educational services for children and youth in local and state institutions for neglected or delinquent children and youth, so that such children and youth have the opportunity to meet the same challenging state academic content standards and challenging state student academic achievement standards that all children in the state are expected to meet. These funds may be used for a variety of purposes such as providing students with the knowledge and skills needed to make a successful transition to secondary school completion, vocational or technical training, further education and employment. This program covers all eligible facilities and the beneficiaries include all eligible students in these facilities.

### **Title X, Part C Homeless Education**

The purpose of the program is to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths. Competitive grants to address the needs of homeless students in districts with high poverty and high homeless count are held every 3 years. This program covers twenty public school districts and the beneficiaries include homeless students in the districts that receive assistance under the McKinney Vento Homeless Education Act grant.

### **Title II, Part A, Teacher Quality**

The Kentucky Department of Education (KDE) assists districts and schools with securing the talents and skills of the highest quality professionals for every classroom, school, and district in Kentucky. The allocations to local districts are designed to

- (1) increase student academic achievement through strategies such as improving teacher and principal quality and increasing the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools; and
- (2) require local educational agencies and schools to be accountable for improvements in student academic achievement.

To date Kentucky has 99% of the educator workforce identified as highly qualified. Current work includes the revision of the state Title II part A plan, creating a comprehensive system to measure teacher effectiveness and building instructional capacity in low to moderately performing schools and districts.

### **Title II, Part B Math and Science**

Competitive grants for partnerships between high need school districts and higher education institution/s' Science, Technology, Engineering and/or Mathematics departments to improve content knowledge and pedagogy in mathematics and/or science. Competitions are held annually and awards are for projects lasting 2-3 years. To date, 482 teachers and more than 148 school districts and 101 administrators were working with 6 institutions of higher education during the 2010-11 academic year.

## **Title II, Part D, Education Technology**

The Education Technology grant provides funding to defray cost of purchasing computer technology and for maintenance of technical education programs and facilities.

## **Title III, English Language Acquisition**

Formula grant for the Title III program, "English Language Acquisition, Language Enhancement, and Academic Achievement Act" of NCLB (2001), to help ensure that children who are limited English proficient (LEP), including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging state academic content and achievement standards as all children are expected to meet. The beneficiaries include districts and consortia that meet the eligibility requirements for a subgrant under section 3114(d) (1) to carry out the activities described in Section 3115(e), such as translator services, tutoring, and instructional materials.

Funding is utilized to assist English language learners, via translator services, English as a Second Language classes, tutoring etc.

### **LIMITED ENGLISH PROFICIENCY**

The Kentucky Department of Education interprets the above language to cover individuals with Limited English Proficiency and for that group not only provides consultation for local school districts on how to meet the needs of students with a need for assistance in instruction, but also has provided translation tools and documents to agencies with a population needing communication in another language.

The department encourages and supports the efforts of the individual office/divisions. The Kentucky School for the Blind prints materials in various accessible formats for individuals who have Limited English Proficiency. These include brochures in Braille, large print, cassette tape, or disc. All conferences and meetings provide materials available in alternative, accessible format. The Kentucky School for the Deaf provides interpreters for individuals who are hearing impaired in addition to video telephones, and voice and Text Telephones (TTY).

## **Title IV, Safe and Drug-Free Schools and Communities**

Formula grants are provide to local school districts to assure activities or programs to be funded comply with the principles of effectiveness described in section 4115(a) and foster a safe and drug-free learning environment that supports academic achievement. The local school district assures that drug and violence prevention programs supported under this subpart convey a

clear and consistent message that acts of violence and the illegal use of drugs are wrong and harmful.

**Title IV, Part B, 21st Century**

Competitive grants are provided through these funds for local school districts, community and faith-based organizations as well as other qualifying private and governmental organization to design and implement effective after school programs that improve student achievement.

**Title IV, Part B, Rural Education Initiative**

The purpose of the programs are to address the unique needs of rural school districts that frequently lack the personnel and resources needed to compete effectively for federal competitive grants, and receive formula grant allocations in amounts too small to be effective in meeting their intended purposes.

- Subpart 1-Small, Rural School Achievement Program-The U. S. Department of Education awards these funds directly to public school districts that qualify. Districts may use the funds for the same purposes found in Title I Part A, Title II Parts A or D, Title III, and Title IV Parts A or B. This program covers eight public school districts and the beneficiaries include all students in these districts.
- Subpart 2- Rural and Low-Income School Program- These funds are a flow-through to qualifying public school districts. Funds may be used for teacher recruitment and retention, professional development, educational technology, parental involvement activities, activities authorized under Title I Part A, Title IV Part A and Title III. This program covers 84 public school districts and the beneficiaries include all students in the districts.

**IDEA Part B Special Education-Grants to States**

These are funds for technical assistance (training, supplementary materials for schools) and consultative resources on exceptional children (reading, math, behavioral, areas of disability) to fulfill requirements of state performance plan.

**IDEA Part B Special Education – Preschool Grants**

These are funds for identification and services to ensure preschool children with IEPs demonstrate improved positive social/emotional skills (including relationships) and improved acquisition of knowledge and skills.

**Jobs for America’s Graduates (JAG)**

Learn and Serve America (Ameri-Corps)

JKG is a dropout-prevention school-based program for disadvantaged and at-risk youth, with the ultimate goal of attaining a high school diploma and/or

postsecondary education or training leading to a career. In Kentucky 2,400 at-risk students in 48 schools participate in JKG. JKG is an affiliate of JAG (Jobs for America's Graduates), which operates in 27 states and the United Kingdom. The funds are passed through from the Kentucky Department of Workforce Investment.

### **Title II C Perkins**

The Carl D. Perkins Career and Technical Education Improvement Act is designed to improve and expand services for students enrolled in career and technical education programs. The Act defines career and technical education programs as organized educational activities that offer a sequence of progressive courses composed of both academic and technical content. Perkins funds are available to all school districts based upon a formula outlined in the law. The sole fiscal agent for Carl D. Perkins funding is the Office of Career and Technical Education, Department of Workforce Investment.

### **National School Lunch Program**

This program provides free or reduced breakfast and lunch to students who meet certain income guidelines.

### **American Recovery and Reinvestment Act (ARRA) Title I, Part A; Title I, Part A Section 1003g; Title X, Part C, IDEA Part B Special Education Grants to States, and IDEA Part B Special Education Preschool Grants**

These are one time allocations to the programs listed that are to be used following the guidelines for the specified programs. President Obama signed this act into law on February 17, 2009. Kentucky began receiving funds in April 2009. The remaining funds will be awarded by September 30, 2009. A quarterly report is submitted to the Federal government. The funding is available through 2011.

### **Subsection (7) Complaint Procedures**

The Department offers three levels of Title VI complaint resolution. Two of the levels afford an internal department/agency review and the third utilizes the external state or federal enforcement agency.

#### **1. Local Level**

An applicant or beneficiary may file a complaint, either in writing or orally, with the Equal Opportunity Counselor in the local program, facility, or school district to which the complainant has applied or participated.

The complaint should be filed no later than thirty (30) days (calendar days) after the alleged discrimination occurred. If it is filed beyond the 30 calendar day period, the local level is encouraged to investigate and process the complaint while advising the complainant that there is a mandatory time limit of 180 calendar days within which to file with the Kentucky Human Rights Commission and/or relevant federal enforcement agency. If the complaint is received at the Department Level, it shall be sent to the Local Level to be addressed as experience shows that complaints have a probability of satisfactory resolution at the level where they arise.

The Equal Opportunity Counselor shall:

- a) Complete the Title VI complaint form with the substance of the complaint if the complainant is unwilling or unable to complete the form;
- b) Log and initiate a review or investigation of the complaint;
- c) Provide notice to all parties of the specific charges;
- d) Conduct and complete a fact-finding investigation;
- e) Report the findings to the supervisor of the affected local program, facility, or school district within thirty (30) calendar days of receipt of the complaint; and
- f) If the report includes a finding of violation of Title VI, proposed remedial action should be included in the report and mediation between the complainant and local program, facility, or school district should be attempted.

The local program, facility, or school district shall have five (5) calendar days to accept and offer remedial action to the complainant within thirty-five (35) calendar days from the receipt of the complaint.

Complainant's rights and instructions for appeal will be provided with the Local level findings.

## 2. Department Level

A complainant may appeal to the Equal Opportunity Coordinator in the affected department/agency with ten (10) calendar days after receipt of the Local Level findings.

### **KDE EEO Coordinators –**

M. Lynn McGowan-McNear, HR Director/Appointing Authority  
The Honorable Kevin Brown, General Counsel – Legal & Legislative

### **KDE EEO Counselor -**

Rebecca Ogden – HR, Manager  
Angela Smith – HR Administrator

The Equal Opportunity Coordinator shall:

- a) Log and initiate a review or investigation of the complaint.
- b) Exercise wide latitude to review an appealed case and make a finding;
- c) Conduct either a paper review or meet with the parties, including the initial reviewer, to attempt mediation and effectuate a mutually agreeable resolution within sixty (60) calendar days from receipt of the appeal to the complainant and department/agency head.

The Department Level constitutes the second and final level in the internal complaint system.

The written decision shall inform the complainant of his or her appeal rights to the Kentucky Human Rights Commission and/or federal enforcement agency. Complaints can be withdrawn by the complaining party at any stage of the proceeding.

### 3. External Enforcement Level

A complaint has 180 days from the occurrence of an action alleged to be in violation of Title VI to file an appeal with the Human Rights Commission and/or relevant federal enforcement agency. The respective state or federal enforcement agency shall prescribe the format for the filing and determination of the complaint.

### **Complaints against Department sub-recipients which adopted the Department Title VI plan**

A complainant may file a complaint against the sub-recipient at the local level to be resolved by the administrator or designee of the local program, facility, or school district.

The sub-recipient's designee shall:

1. Complete the Title VI complaint form with the substance of the complaint if the complainant is unwilling or unable to complete the form;
2. Log and initiate a review or investigation of the complaint;
3. Provide notice to all parties of the specific charges;
4. Conduct and complete a fact-finding investigation;
5. Report the findings to the supervisor of the affected sub-recipient's program, facility, or school district within thirty (30) calendar days of the receipt of the complaint; and
6. If the report includes a finding of violation of Title VI, proposed remedial actions should be included in the report and mediation

between the complainant and sub-recipient's program or facility should be attempted.

The sub-recipient program, facility, or district shall have five (5) calendar days to accept and offer remedial action to the complainant. The final sub-recipient's written findings and any proposed resolution shall be provided to the complainant within thirty-five (35) calendar days from the receipt of the complaint.

Complainant's rights and instructions for appeal to the respective department/agency will be provided with the sub-recipient's finding.

If appealed to the second level, the complaint shall be sent by the sub-recipient to the respective department/agency for resolution under the Department Level procedures.

### **Complaints against Department sub-recipients with a separate Title VI Plan**

An applicant or beneficiary shall adhere to the complaint procedures set out in the sub-recipient's Title VI Plan which shall be available from the sub-recipient and the respective Department/agency's Equal Opportunity Coordinator for the affected program.

The Department shall be notified by the sub-recipient when a Title VI complaint is not resolved satisfactorily and/or is appealed to the federal enforcement agency.

As stated on the U.S. Department of Education website at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>:

The Office for Civil Rights (OCR) enforces five federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age in programs or activities that receive federal financial assistance from the Department of Education (ED). Discrimination on the bases of race, color and national origin is prohibited by Title VI of the *Civil Rights Act of 1964*; sex discrimination is prohibited by Title IX of the Education Amendments of 1972; discrimination on the basis of disability is prohibited by Section 504 of the *Rehabilitation Act of 1973* and Title II of the *Americans with Disabilities Act of 1990* (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance); and age discrimination is prohibited by the *Age Discrimination Act of 1975*.

These civil rights laws extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries and museums that receive federal financial assistance from ED. Programs or activities that receive ED funds must provide aids, benefits or services in a nondiscriminatory manner. Such aids, benefits or services may include, but are not limited to, admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment.

OCR also enforces the *Boy Scouts of America Equal Access Act*, part of the *No Child Left Behind Act of 2001*. Under the *Boy Scouts of America Equal Access Act*, no public elementary school, public secondary school, or state or local education agency that receives funds made available from the Department of Education and that provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities before or after school hours shall deny equal access or a fair opportunity to meet to or discriminate against, any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society.

### **Who Can File a Discrimination Complaint**

Anyone who believes that an education institution that receives federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, disability or age, or who believes that a public elementary or secondary school, or state or local education agency has violated the Boy Scouts of America Equal Access Act, may file a complaint. The person or organization filing the complaint need not be a victim of the alleged discrimination but may complain on behalf of another person or group.

### **Timeliness**

A complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by OCR for good cause.

### **Institutional Grievance Procedures**

Prior to filing a complaint with OCR against an institution, a potential complainant may want to find out about the institution's grievance process and use that process to have the complaint resolved. However, a complainant is not required by law to use the institutional grievance process before filing a complaint with OCR. If a complainant uses an institutional grievance process and also chooses to file the complaint with OCR, the complaint must be filed with OCR within 60 days after the last act of the institutional grievance process.

### **How to File an Online Complaint**

Complainants wishing to file a complaint may do so by:

**Mail or Facsimile:** Complainants may mail or send by facsimile a letter or use the OCR's Discrimination Complaint Form available from one of OCR's enforcement offices (see the list of OCR's offices in this brochure). In your correspondence, please include:

- The complainant's name, address and, if possible (although not required), a telephone number where the complainant may be reached during business hours;
- Information about the person(s) or class of persons injured by the alleged discriminatory act(s) (names of the injured person(s) are not required);
- The name and location of the institution that committed the alleged discriminatory act(s); and
- A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (race, color, national origin, sex, disability, age or the Boy Scouts of America Equal Access Act).

**E-mail:** Complainants may file a complaint, using the following e-mail address: [ocr@ed.gov](mailto:ocr@ed.gov). (Use the same procedures as above.)

**Online:** Complainants may file a complaint with OCR using OCR's electronic complaint form at the following Web site: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

For those without current e-mail accounts, Internet access may be freely available from your local public library, and free e-mail accounts are available from several large providers.

**Note:** A recipient of federal financial assistance may not retaliate against any person who has made a complaint, testified, assisted or participated in any manner in an investigation or proceeding under the laws listed on the first page of this brochure.

**Where to Write (see [Note](#))**

**Headquarters**

**Office for Civil Rights  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-1100  
(202) 245-6800; 1-800-421-3481  
Facsimile: (202) 245-6840  
TDD: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>**

**Enforcement Offices**

**Connecticut, Maine, Massachusetts,  
New Hampshire,  
Rhode Island, Vermont**

Office for Civil Rights/Boston  
U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Tel.: (617) 289-0111  
Fax: (617) 289-0150

**New Jersey, New York,  
Puerto Rico, Virgin Islands**

Office for Civil Rights/New York  
U.S. Department of Education  
32 Old Slip, 26th Floor  
New York, NY 10005  
Tel.: (646) 428-3900  
Fax: (646) 428-3843

**Delaware, Maryland,  
Kentucky, Pennsylvania,  
West Virginia**

Office for Civil Rights  
Philadelphia  
U.S. Department of Education  
The Wanamaker Building  
100 Penn Square East  
Suite 515  
Philadelphia, PA 19107  
Tel.: (215) 656-8541  
Fax: (215) 656-8605

**Illinois, Indiana, Minnesota,  
Wisconsin, Iowa,  
North Dakota**

Office for Civil Rights/Chicago  
U.S. Department of Education  
Citigroup Center  
500 W. Madison Street  
Suite 1475  
Chicago, IL 60661  
Tel.: (312) 730-1560  
Fax: (312) 730-1576  
TDD: 312-730-1609  
or 1-877-521-2172

**Michigan, Ohio**

Office for Civil Rights  
Cleveland  
U.S. Department of Education  
600 Superior Avenue East  
Suite 750  
Cleveland, OH 44114  
Tel.: (216) 522-4970  
Fax: (216) 522-2573

**Kansas, Missouri, Nebraska,  
South Dakota, Oklahoma**

Office for Civil Rights  
Kansas City  
U.S. Department of Education  
8930 Ward Parkway  
Suite 2037  
Kansas City, MO 64114  
Tel.: (816) 268-0550  
Fax: (816) 823-1404

**Alabama, Florida, Georgia, Tennessee**

Office for Civil Rights/Atlanta  
U.S. Department of Education  
61 Forsyth Street, S.W.  
Suite 19T70  
Atlanta, GA 30303  
Tel.: (404) 974-9406  
Fax: (404) 974-9471

**Arkansas, Louisiana, Mississippi, Texas**

Office for Civil Rights/Dallas  
U.S. Department of Education  
1999 Bryan Street, Suite 1620  
Dallas, TX 75201  
Tel.: (214) 661-9600  
Fax: (214) 661-9587

**North Carolina, Virginia,  
Washington, D.C.,  
South Carolina**

Office for Civil Rights/DC  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-1475  
Tel.: (202) 453-6020  
Fax: (202) 453-6021

**Arizona, Colorado,  
New Mexico, Utah,  
Wyoming**

Office for Civil Rights/Denver  
U.S. Department of Education  
1244 Speer Boulevard  
Cesar E. Chavez Memorial Building  
Suite 310  
Denver, CO 80204  
Tel.: (303) 844-5695  
Fax: (303) 844-4303

**California**

Office for Civil Rights/San Francisco  
U.S. Department of Education  
50 Beale Street, Suite 7200  
San Francisco, CA 94105  
Tel.: (415) 486-5555  
Fax: (415) 486-5570

**Alaska, Hawaii, Idaho, Nevada, Oregon,  
Montana, Washington, American Samoa,  
Guam, and the Northern Mariana Islands**

Office for Civil Rights/Seattle  
U.S. Department of Education  
915 Second Avenue  
Room 3310  
Seattle, WA 98174  
Tel.: (206) 607-1600  
Fax: (206) 607-1601

As stated on the KDE Nutrition Services website, <http://nhs.ky.gov/>:

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272, TTY (202) 720-6382. USDA is an equal opportunity provider and employer. Pursuant to Title VI of the Civil Rights Act of 1964, 42 USC 2000d and 7 CFR part 15.

**Subsection (9) Training**

The Title VI Implementation Plan and complaint procedures are disseminated to all Department Employees involved in the federal programs. The Title VI compliance officer is available to answer any questions and to ensure adequate training and understanding.

KDE informs new employees and contractors of our compliance with all federal laws barring discrimination. All new employees and contractors in the agency receive orientation material regarding discrimination. Assigned staff

in the Division of Resource Management discuss the various statutes and programs during orientation.

KDE provides diversity training. A trainer from the Education and Workforce Development Cabinet performs this service and attendance for all employees and contractors is mandatory.

KDE provides sexual harassment training that is mandatory for all employees, contractors, summer and temporary employees. We identify examples and provide information on appropriate steps to avoid, deal with and report any perceived problems to be addressed by the Equal Employment appointing authority.

The trainings listed above address any new issues that may have arisen in society in order to keep the training current.

### **Subsection (10) Goals and Evaluation Procedures**

#### **A. GOALS**

The Kentucky Department of Education is fortunate not to have had any Title VI complaints. Training is arranged by the Division of Resource Management. KDE attempts to update personnel and contractors on the continual importance of equitable practices that provide equal opportunities and fair and agreeable work environments.

The Department establishes the following goals:

1. No applicant and/or eligible individual shall be excluded from participation in any covered program or activity on the basis of race, color, or national origin;
2. No applicant and/or eligible individual shall be denied the benefits of any covered program or activity on the basis of race, color, or national origin;
3. No applicant and/or eligible individual shall be otherwise subjected to discrimination under any covered program or activity on the basis of race, color, or national origin; and
4. That substantiated Title VI complaints, if any, shall continuously decrease and be resolved to the satisfaction of all parties.

An attachment of the statistics on eligible populations is included; the Department works continuously to maintain diversity all across the agency.

#### **B. EVALUATION**

The Department shall measure its goals and within the timeframe established to achieve those goals in the following manner:

1. Annually utilize a self-survey and program review to determine compliance status;
2. Initiate corrective action within thirty (30) calendar days of identifying noncompliance; and
3. Provide information to all current employees and incorporate Title VI information in new employee orientation training.

These goals will be evaluated through the number of Title VI complaints filed against, investigated, substantiated, and resolved by the Department annually.

The federal grants awarded to the Department identify covered program evaluation standards and indicators to be included within the state plans to assess service delivery and consumer satisfaction. Customer satisfaction surveys, on-site monitoring and program evaluations provide tools to assess service delivery consistent with Title VI goals.

The Department monitors Title VI compliance by the submission of quarterly reports from agency heads to the Title VI compliance officer.

The Department will annually evaluate its Title VI plan to identify deficiencies and existing needs. The Department's Compliance Officer will prepare and submit an annual report to the Cabinet Secretary based upon data gathered from the Title VI Checklist and Self-Survey. The report will identify existing needs and/or deficiencies with regard to Title VI compliance, make recommendations for continued compliance, and specify any needed corrective procedures. The corrective procedures may include but not be limited to additional training or disciplinary action against the offending party.

### **Subsection (12) Record Keeping**

Each year the Kentucky Department of Education Office of Guiding Support Services requests a summary from each office on any Title VI complaints.

The Department utilizes the following Title VI forms:

1. Department complaint form;
2. Department appeal form; and
3. Department/Sub-recipient self-survey.

The Department Equal Employment Opportunity Counselor and Coordinator shall maintain a contemporaneous log of complaints filed by applicants and beneficiaries and track them through resolution or appeal to state or federal enforcement agencies. The coordinator is tasked with compiling any complaints and their outcomes into a report. The complaints and other

relevant documents are maintained by the Department for the time periods required by law.

Each office/division in the Department maintains a data collection system concerning statistical characteristics of its applicants and beneficiaries of covered programs. Service delivery and outcomes statistics are collected and reported annually to federal oversight agencies. Program audits are conducted by federal regional program coordinators.

Requisite programmatic and statistical records for compilation and reporting under this section shall be maintained by the office/division in the Department for the time periods required by law or until resolution of a pending complaint or audit initiated during that time period consistent with the provisions of Titles 29 & 34 of the Code of Federal Regulations.

The management of offices/divisions in the Department of Education are tasked with collecting data demonstrating the participation of members of protected parties in Title VI programs and activities.

**Subsection (13) Minority Representation on Planning Board and/or Advisory Body**

**A. The Kentucky Board of Education consists of 11 members.**

- 2 – African American Males
- 5- White Females
- 4- White Males

**C. KDE Staff (as of 4/30/2011)**



Title VI Report.xls

Kentucky Department of Education  
Annual Performance Report 2010-11  
Title VI Report  
COB 4/30/11

Race/National Origin	Number
White Males	141
White Females	322
Minority Males	19
Minority Females	51
Total	533